

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KNUDSON ET AL. Examiner: UNKNOWN  
Serial No.: 10/825,029 Group Art Unit: UNKNOWN  
Filed: APRIL 14, 2004 Docket: 13033.4USC4  
Due Date: JULY 14, 2004  
Title: METHOD AND APPARATUS TO TREAT CONDITIONS OF THE NASO-PHARYNGEAL AREA

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 8, 2004.

By: Karen A. Fitzsimmons  
Name: Karen A. Fitzsimmons

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Information Disclosure Statement and Form 1449
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: Karen A. Fitzsimmons  
Name: Karen A. Fitzsimmons  
Reg. No.: 50,470  
KFitzsimmons:PLSkaw



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By: Kristine A. Wacek  
Name: Kristine A. Wacek

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2) and § 1.98(d), copies have been provided only for those items listed on the enclosed Form 1449 that have not previously been cited by or submitted to the U.S. Patent and Trademark Office in parent applications, U.S. Serial No. 10/629,145 filed on July 29, 2003; U.S. Serial No. 10/394,887 filed on March 21, 2003; U.S. Serial No. 10/190,183 filed on July 3, 2002; and U.S. Serial No. 09/636,803 filed on August 10, 2000. Because this application was filed after June 30, 2003, a copy of U.S. Patent No. 6,742,524 B2 listed on the enclosed Form 1449 is not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

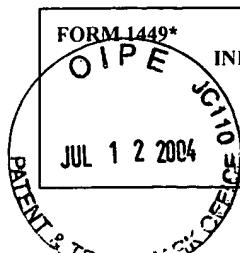
Date:

July 8, 2004

  
Karen A. Fitzsimmons

Reg. No. 50,470

KAF:PLSkaw

 <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 13033.4USC4	Application Number: 10/825,029
	Applicant: KNUDSON ET AL.	
	Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>		Docket Number: 13033.4USC4	Application Number: 10/825,029
<b>IN AN APPLICATION</b> (Use several sheets if necessary)		Applicant: KNUDSON ET AL.	
		Filing Date: 04/14/2004	Group Art Unit: UNKNOWN

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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES      NO
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	0 706 808 A1	04/17/1996	EP			
	1 039 859 B1	12/03/2003	EP			X
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	Brochure, "Our Diagnostic Procedures are a Snap®!", <i>Snap Laboratories</i> , 4 pgs.
	Brochure, "Snore-Free Nights - Guaranteed!", <i>Your Health News</i> , 2 pgs.
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	Gillette, P. et al., "Pediatric Cardiac Pacing", <i>Cardiology Clinics</i> , Vol. 10, No. 4, pp. 749-754 (November 1992).

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		Harries, P.G. et al., "Review Article: The surgical treatment of snoring", <i>The Journal of Laryngology and Otology</i> , Vol. 110, pp. 1105-1106 (December 1996).
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		Kasey, K. et al., "Radiofrequency Volumetric Reduction of the Palate: An Extended Follow-Up Study", <i>Otolaryngology-Head and Neck Surgery</i> , Vol. 122, No. 3, pp. 410-414 (March 2000).
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		Schwartz, R.S. et al., "Effects of electrical stimulation to the soft palate on snoring and obstructive sleep apnea", <i>J. Prosthet. Dent.</i> , Vol. 76, No. 3, pp. 273-281 (1996).
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